



United States Department of State

Washington, D.C. 20520

March 10, 2021

Ruby J. Krajick
Clerk of the Court
U.S. District Court Southern District of New York
500 Pearl St.
New York, NY 10007

Re: Pharo Gaia Ltd., et al. v. Bolivarian Republic of Venezuela, 20-cv-8497(AT)

Dear Ms. Krajick:

I am writing regarding the Court's request for transmittal of a Summons, Complaint, Related Case Statements, Civil Cover Sheet, and Notice of Suit to the Bolivarian Republic of Venezuela pursuant to 28 U.S.C. Sections 1608(a)(4) as a defendant in the above referenced lawsuit.

Because the United States Embassy operations in Venezuela are currently suspended, the documents were delivered to the Embassy of the Bolivarian Republic of Venezuela in Washington, DC under cover of U.S. Department of State diplomatic note. The diplomatic note was dated January 15, 2021 and delivered on February 12, 2021. A certified copy of the diplomatic note is enclosed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Hess", written over a horizontal line.

Jared Hess
Attorney Adviser
Office of the Legal Adviser

Cc: Matthew D. McGill
GIBSON DUNN
1050 Connecticut Ave., N.W.
Washington, DC 20036



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CERTIFICATION OF DIPLOMATIC NOTE

I, Shane I. Myers, Managing Director of the Directorate of Overseas Citizens Services, in Washington, DC certify that this is a true copy of the United States Department of State diplomatic note dated January 15, 2021 and delivered to the Embassy of the Bolivarian Republic of Venezuela in Washington, DC on February 12, 2021.

A handwritten signature in blue ink, appearing to read "Shane I. Myers".

Shane I. Myers, Managing Director
Directorate of Overseas Citizens Services

March 4, 2021

The Department of State refers the Embassy of the Bolivarian Republic of Venezuela to the lawsuit *Pharo Gaia Ltd., et al. v. Bolivarian Republic of Venezuela*, 20-cv-8497(AT), which is pending in the U.S. District Court for the Southern District of New York. The Bolivarian Republic of Venezuela is a defendant in this case. The Department transmits a Summons, Complaint, Related Case Statements, and Civil Cover Sheet herewith. The U.S. District Court for the Southern District of New York has requested service of these documents. This note constitutes transmittal of these documents to the Bolivarian Republic of Venezuela as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law, a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days from the date of transmittal of the Complaint, in this case, the date of this note. In failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Department requests that the enclosed Summons, Complaint, Related Case Statements, and Civil Cover Sheet be forwarded to the appropriate authority of the

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Bolivarian Republic of Venezuela with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons, Complaint, Related Case Statements, and Civil Cover Sheet, the Department is enclosing a Notice of Suit, prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign states.

Under U.S. law, any jurisdictional or other defense, including claims of sovereign immunity, must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the Department to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

Enclosures:

As stated.

A handwritten signature in blue ink, appearing to be "S. J. ...", is written over a faint circular stamp.

Department of State,

Washington, January 15, 2021